

TORONTO POLICE SERVICE
Applicant

And

CONSTABLE RONALD JOSEPH
Respondent

Adjudicator:
Ian Nordheimer

Appearances:
E. Glasbergen, for the Applicant
S. Khehra, for the Respondent

Heard:
September 22, 2026

Date of decision:
September 23, 2026

Length of decision:
4 pp.

Statutory citations:
Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, s. 202(1)
O. Reg. 407/23, s. 4
Criminal Code, R.S.C. 1985, c. C-46

CRIMINAL OFFENCES - Fraud - Respondent pled guilty to three charges of fraud and one charge of public mischief - Respondent voluntarily pled guilty and findings of guilt not appealed - Clear and convincing evidence that respondent violated s. 4 of Conduct of Conduct - Misconduct proved.

CRIMINAL OFFENCES - Public mischief - Respondent pled guilty to three charges of fraud and one charge of public mischief - Respondent voluntarily pled guilty and findings of guilt not appealed - Clear and convincing evidence that respondent violated s. 4 of Conduct of Conduct - Misconduct proved.

Summary of Reasons for Decision

The applicant alleged that Constable Joseph violated s. 4 of the Code of Conduct for police officers, O. Reg. 407/23, which states that a police officer contravenes the Code if they are found

guilty of an offence under the *Criminal Code*, the *Controlled Drugs and Substances Act*, or the *Cannabis Act*. Constable Joseph was charged under the *Criminal Code* with three counts of fraud over \$5,000 and one count of public mischief. The charges all concerned attempts to defraud automobile insurers. At his criminal trial, the respondent voluntarily pled guilty. He received a conditional sentence of 12 months. Subsequently, he appealed only the sentence, not the findings of guilt, and his appeal of the sentence was still outstanding.

At the disciplinary hearing, Cst. Joseph pled not guilty, offering reasons as to why he pled guilty in the criminal trial: he acted on the advice of his lawyer, and he was under a lot of pressure at the time from personal issues.

Held, misconduct established; breach of s. 4 proved.

A finding of misconduct under the *CSPA* required clear and convincing evidence. In this case, there was ample evidence to satisfy that standard: the guilty pleas following a thorough plea inquiry, and the respondent's agreement to the agreed statements of fact after each count was read in court.

In *Toronto (City) v. CUPE, Local 79*, [2003] 3 S.C.R. 77, the Supreme Court of Canada emphasized the need for finality in decisions. Arbour J. held that challenges to judicial decisions must be brought in the proper forum. In this case, by attempting to challenge his criminal convictions through this disciplinary hearing, the respondent was engaging in the impermissible route of re-litigation identified in *Toronto*.

Authorities cited

Jacobs v. Ottawa (Police Service), 2016 ONCA 325

Toronto (City) v. CUPE, Local 79, [2003] 3 S.C.R. 77, 2003 SCC 63